



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BACHMANN *et al.*

Appl. No.: 10/550,518 (U.S. Nat'l Phase
of PCT/EP2004/003165)

§ 371 Date: September 26, 2005

For: **Packaging of Immunostimulatory
Oligonucleotides Into Virus-Like
Particles: Method of Preparation
and Use**

Confirmation No.: 8347

Art Unit: 1633

Examiner: LI, Qian Janice

Atty. Docket: 1700.0630000/BJD/WBC

**First Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on December 21, 2006 in connection with the above-captioned application.

Copies of documents **AP9** to **AN15** and **NPL103** to **NPL178** are provided. However, copies of U.S. patents, documents **AG3** to **AK4**, cited on the attached Form PTO/SB/08A are not submitted, in accordance with 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language document **AP12** cited on Form PTO/SB/08A:

Document **AP12**, WO 00/00462 A1, is in the French language. An English language abstract of document **AP12** is located on the face page of this document.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038

Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37

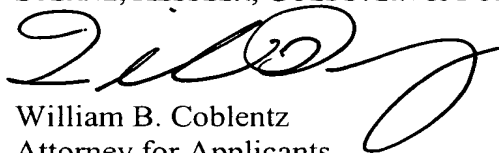
C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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